

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEMETRIUS BAILEY,	)	
	)	
Petitioner,	)	Civil Action No. 08-1115
	)	
v.	)	Judge McVerry
	)	Magistrate Judge Bissoon
LOUIS FOLINO, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Demetrius Bailey's Petition for Writ of Habeas Corpus was received by the Clerk of Court on August 8, 2008, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on September 17, 2008, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Bailey be dismissed and that a certificate of appealability be denied. The parties were allowed ten days from the date of service to file objections. Bailey filed objections on September 26, 2008.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 3<sup>rd</sup> day of October, 2008,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Demetrius Bailey is dismissed, and a certificate of appealability is DENIED.

The Report and Recommendation of Magistrate Judge Bissoon, (Doc. 7), dated September 17, 2008, is adopted as the opinion of the court.

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s/Terrence F. McVerry  
Terrence F. McVerry  
U.S. District Court Judge

CC:  
DEMETRIUS BAILEY  
CP-7819  
SCI at Greene  
175 Progress Drive  
Waynesburg, PA 15370

Magistrate Judge Cathy Bissoon